

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA DIVISION

TERESA KIM HASKIN,

Plaintiff,

v.

FREIGHT SYSTEMS, LLC AND
ROBERT TINO TRUJILLO,

Defendants.

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CIVIL ACTION NO.

NOTICE OF REMOVAL

Freight Systems, LLC (“Freight Systems”) and Robert Tino Trujillo (“Trujillo”), the defendants in this case, hereby remove this lawsuit from the 30th District Court of Wichita County, Texas to the United States District Court for the Northern District of Texas pursuant to 28 U.S.C. §§ 1332 and 1441, and would respectfully show the Court as follows:

I.
PARTIES

1. The plaintiff, Teresa Kim Haskin (“Haskin”), is a resident of Wichita Falls, Wichita County, Texas. For purposes of diversity of citizenship, Haskin is a citizen of the state of Texas and not of California.

2. Defendant Trujillo is a resident of California. For purposes of diversity of citizenship, he is a citizen of California and not of Texas.

3. Defendant Freight Systems is a limited liability corporation whose members are Ranjeet Pannu, a citizen of the state of California, Bikramjit Pannu, a citizen of the state of California, and Harjander Pannu, a citizen of the state of California. For purposes of diversity of

citizenship, each member of the limited liability corporation is a citizen of California, and not of Texas.

**II.
BACKGROUND**

4. On January 10, 2018, Plaintiff filed against Freight Systems and Trujillo the lawsuit styled *Teresa Kim Haskins v. Freight Systems, LLC and Robert Tino Trujillo*, Cause No. 187-622-A, pending in the 30th District Court of Wichita County, Texas (the “State Court Lawsuit”).

5. Both Defendants were served with the Plaintiff’s Original Petition (the “Petition”) for the first time on January 17, 2018. A true and correct copy of the Petition is attached hereto as **Exhibit 1**, and incorporated herein by reference.

6. In its Petition, Plaintiff alleges that Trujillo was driving a semi-truck on January 30, 2016, in Wichita Falls, Texas, when he crashed into a bus Haskins was driving, causing bodily injury. Haskins asserts claims of negligence against both defendants, and claims of vicarious liability for Trujillo’s negligence against Freight Systems.

**III.
BASIS FOR REMOVAL**

7. The State Court Lawsuit is removable to this Court under 28 U.S.C. §§ 1332(a)(1) and 1441(a). This Court has original jurisdiction based upon diversity of citizenship among the parties because there is complete diversity between the Defendants, Freight Systems and Trujillo, and the Plaintiff, Haskins. The amount in controversy between the parties, exclusive of interest and costs, exceeds \$75,000.

**IV.
DIVERSITY JURISDICTION EXISTS**

A. Complete Diversity Exists

8. This case is removable on the basis of diversity of citizenship. There is complete diversity, as required by 28 U.S.C. § 1332, between Plaintiff and Defendants. Plaintiff Haskins is a citizen of the state of Texas. Freight Systems is a citizen of the state of California, as all of its individual members are citizens of the state of California. Trujillo is a citizen of the state of California.

B. The Amount in Controversy Exceeds \$75,000

9. The Petition states that Plaintiff is seeking “monetary relief aggregating in excess of \$200,000” *See Petition, Exhibit 1*, at p. 5.

10. Plaintiff is also seeking to recover the attorney’s fees incurred in prosecuting this lawsuit.

11. As a result, the amount in controversy exceeds \$75,000 exclusive of interest and costs.

**V.
VENUE**

12. Venue is proper in this Court under 28 U.S.C. § 1441(a), because this district and division of this Court embraces Wichita County, Texas, the place where the State Court Lawsuit was filed.

**VI.
OTHER PREDICATES FOR REMOVAL**

13. Both Defendants were served with the Petition on January 17, 2018. This Notice of Removal is filed within thirty days of that date, as required by 28 U.S.C. § 1446(b)(1).

14. As required by 28 U.S.C. § 1446(a) and Local Rule 81.1, a true and correct copy of all executed process, pleadings, orders, and the docket sheet in the State Court Lawsuit are attached as **Exhibit 2**, and incorporated herein by reference.

15. The State Court Lawsuit was filed in the 30th District Court of Wichita County, Texas as Cause No. 187,622-A. In accordance with 28 U.S.C. § 1446(d), written notice of this Notice of Removal will be promptly given to Plaintiff through her counsel of record, and a copy of such written notice will be filed with the clerk of the court in the State Court Lawsuit.

16. By filing this Notice of Removal, the Defendants do not intend to waive any defenses that they may have to Plaintiff's claims.

Wherefore, Defendants request that the Court accept jurisdiction over this case against it for the reasons set forth above, and grant the Defendants such other and further relief to which they show themselves justly entitled.

Respectfully Submitted,

/s/ Joseph A. Turano
JOSEPH A. TURANO
Texas State Bar No. 20295200
joseph.turano@strasburger.com
STRASBURGER & PRICE, LLP
901 Main Street, Suite 6000
Dallas, Texas 75202
Telephone: (214) 651-4594
Telecopier: (214) 659-4096

**ATTORNEYS FOR DEFENDANTS FREIGHT
SYSTEMS, LLC AND ROBERT TINO
TRUJILLO**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served on the following counsel of record via electronic mail and regular mail on this the 9th day of February 2018:

Ms. Carolyn Ostovich
Ostovich& Associates, P.C.
Centre Point Blvd.
900 Scott Street, Suite 205
P.O. Box 8305
Wichita Falls, TX 76307-8305
E-mail: attorney@ostovichlaw.com

/s/ Joseph Turano

Joseph Turano